

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Kathleen White Murphy and Thomas)
White, as co-administrators of the)
Estate of Anna M. White,)
)
)
plaintiffs,)
)
) Hon. Heather K. McShain, M.J.
v.)
)
) No. 15 C 8185
Elizabeth Richert,)
)
)
defendant.)

**PLAINTIFFS' MOTION FOR
CERTIFICATION OF JUDGMENT**

Plaintiffs Kathleen White Murphy and Thomas White, as co-administrators of the Estate of Anna M. White, by their undersigned attorneys, request that this Court enter an order pursuant to 28 U.S.C. § 1963 finding good cause shown to direct the Clerk to issue certified copies of the judgment so plaintiffs may enforce that judgment in other districts, and in support thereof state:

1. On May 27, 2021, this Court entered a \$246,152.76 judgment in favor of plaintiffs and against Elizabeth Richert individually. ECF No. 468.
2. On November 24, 2021, Richert filed a notice of appeal. ECF Nos. 501 & 503. So far, Richert has filed three motions to reschedule the date for her opening brief, currently due May 4, 2022.
3. Richert never posted a supersedes bond.
4. Richert has assets in the District of Arizona, specifically, the Carefree Home which was held in the name of the Robert Trust at the time of Robert's death, *see* ECF

No. 467 at 5, and passed to her under all versions of the Robert Trust. *Id.* at 9. Richert presumably has assets in the Southern District of Florida, where she resides. *See ECF No. 467 at 6* (Richert could not remember where she deposited \$467,541.82 out of the Robert Trust proceeds and produced no bank records showing what she did with this money) (leading plaintiffs reasonably to believe Richert still possesses this money). Plaintiffs are unaware of any assets Richert holds individually in the Northern District of Illinois. *See ECF No. 9 in 19-2397* (claiming financial hardship with respect to \$505 appellate docketing fee).

5. Under the laws of this circuit, failure to post a supersedes bond constitutes “good cause” under 28 U.S.C. § 1963 for registration of a judgment even while under appeal. *Chicago Downs Association v. Chase*, 944 F.2d 366, 371—72 & n.3 (7th Cir. 1991); *Pacific Reinsurance Management Corp. v. Fabe*, 929 F.2d 1215 (7th Cir. 1991); *Trustees of Chicago Truck Drivers v. Central Transport, Inc.*, 935 F.2d 114 (7th Cir. 1991); *see generally* Siegal, COMMENTARY TO 1988 REVISION, 28 U.S.C. § 1963 (West Supp. 1989).

WHEREFORE, for the foregoing reasons, plaintiffs Kathleen White Murphy and Thomas White, as co-administrators of the Estate of Anna M. White, request that this Court enter an order finding good cause to direct the Clerk to issue to plaintiffs two certified copies of the judgment so that plaintiffs may begin enforcement actions in the District of Arizona and the Southern District of Florida, and grant whatever additional relief the Court deems just under these circumstances.

Respectfully submitted,

KATHLEEN WHITE MURPHY and
THOMAS WHITE, as Co-Independent
Administrators of the Estate of Anna M. White

By: /s/ Paul J. Kozacky

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CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that I caused a true and correct copy of Plaintiffs' Motion for Certification of Judgment served on the following through ECF, before the hour of 9:00 p.m. on April 8, 2022:

Elizabeth K. Richert
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/s/ Caitlin J. Brown
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